

REMARKS

Claims 4-9, 12-14 and 16-17 are pending in the application. This Amendment is filed in conjunction with a request for consideration under 37 C.F.R. § 1.114. Claims 4-6, 8, 9, 12-14 and 16-17 are amended herein. Reconsideration and allowance of the application are respectfully requested.

Claims 4-5, 9 and 16-17 stand finally rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese patent document JP 10200493 to Iwasaki, et al. ("Iwasaki"). Further, claims 6-8 and 12-14 stand finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Iwasaki in view of German patent document DE 4424380 A1 to Luegering ("Luegering").

Reconsideration of these rejections of claims 4-9, 12-14 and 16-17 is respectfully requested. By this paper, claims 4-6, 8, 9, 12-14 and 16-17 have been amended to better define the invention defined by these claims. It is submitted that each independent claim recites limitations nowhere shown, described or suggested by the cited prior art references. The cited reference or combination of references fails to anticipate or render obvious the claimed inventions.

It is respectfully submitted that the claimed invention includes limitations nowhere shown in the cited references. The mobile communication station in accordance with claims 4-9, 12-14 and 16-17 sends to a delivery management server ("information management server") a request which includes information about a destination for content ("second information," not popular information). The destination is the location at which is user wishes to receive the content. The destination may be either a mobile communication terminal itself or other devices such as a set-top box ("information receiving device"). These features are missing from the cited references.

An exemplary embodiment is show in FIG. 1 of the application which shows a mobile station 10 corresponding to the recited mobile communication terminal and a set top box (STB) 40 corresponding to an information receiving terminal." Operation of the illustrated embodiment is described in one example in conjunction with FIG. 14 step Sc1 in which a delivery management server receives a request from a mobile station, the request including an address of

the destination to which the information is to be delivered. Page 29, starting at line 5 of the present application. At step Sc5 and as described at page 31, lines 3-8, the delivery management server receives confirmation of delivery of the information to the mobile station or the STB. Thus, the user of the mobile station specifies a delivery destination of the information **which is different from the mobile station itself**.

In contrast, the system of Iwasaki permits only delivery of music or other information to a requesting PHS terminal PS1. The serving base station CS1 allots a dedicated channel to delivery of broadcast information to PS1 from a local server. Iwasaki fails to disclose the structure or operation of delivering information to an information receiving terminal based on a request from a separate mobile station. The user of the Iwasaki system can only get information for his own PHS terminal, not have information sent to another destination. The other cited reference, Luegering, fails to provide the missing claim limitations. Independent claims 5, 12, 16 and 17 include similar distinguishing limitations.

Accordingly, withdrawal of the 35 U.S.C. § 102(b) rejection of claims 4-5, 9 and 16-17 is respectfully requested. Similarly, withdrawal of the 35 U.S.C. § 103(a) of claims 6-8 and 12-14 is respectfully requested.

Request for Interview

Applicant respectfully requests a telephone interview with the examiner prior to action on the merits. Applicant's attorney will contact the examiner to arrange the interview.

Application no. 09/889,841
Amendment dated: June 27, 2005
Reply to office action dated: December 27, 2004

With this response, the application is believed to be in condition for allowance. Should the examiner deem a telephone conference to be of assistance in advancing the application to allowance, the examiner is invited to call the undersigned attorney at the telephone number below.

Respectfully submitted,



John G. Rauch
Registration No. 37,218
Attorney for Applicant

June 27, 2005
BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200